

**ENTERED**

September 28, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GLORIA D. LACSON FC., *et al*

§

VS

§

CIVIL ACTION NO. H-21-107

§

MERRICK GARLAND, U.S. ATTORNEY  
GENERAL, *et al*

§

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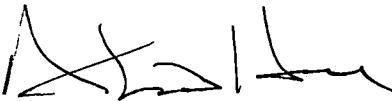
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Pending before the Court in the above referenced proceeding is Plaintiff's Motion for Summary Judgment (Doc. No. 11); Defendant's Motion to Dismiss and Cross-Motion for Summary Judgment (Doc. No. 13); responses and replies (Doc. Nos. 14, 15, 17) and Magistrate Judge Sheldon's Memorandum and Recommendation (Doc. No. 20) that the Court deny Plaintiff's Motion for Summary Judgment and grant Defendant's Motion to Dismiss and Cross-Motion for Summary Judgment. Neither party filed objections to the Memorandum and Recommendation and the time for doing so has passed.

Upon review, the Court agrees with the Magistrate Judge's conclusion that, although some may be of the opinion that the decision by the United States Citizenship and Immigration Service was not ideal, the agency did provide some consideration of all relevant facts and was not required to consider Shamsoddin was engaged in a managerial position; thus, the Court cannot say the outcome was arbitrary and capricious. Accordingly, it is hereby

**ORDERED** that the Memorandum and Recommendation (Doc. No. 20) is **ADOPTED**. The Plaintiff's Motion for Summary Judgment (Doc. No. 11) is **DENIED**, and Defendant's Motion to Dismiss and Cross-Motion for Summary Judgment (Doc. No. 13) is **GRANTED**.

SIGNED at Houston, Texas, this 26<sup>th</sup> day of September 2022.



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ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE